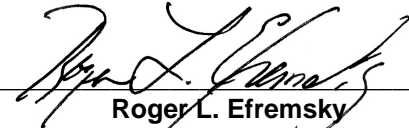


August 31, 2011

GLORIA L. FRANKLIN, CLERK  
U.S BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

The following constitutes  
the order of the court. Signed August 31, 2011

  
Roger L. Efremsky  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re Case No. 10-49171 RLE  
CHARLES THOMAS PACLIK, Chapter 7  
Debtor.  
\_\_\_\_\_  
E. NICOLE CARRION, Adversary No. 10-4330  
Plaintiff,  
vs.  
CHARLES THOMAS PACLIK,  
Defendant.  
\_\_\_\_\_

**ORDER DISMISSING ADVERSARY PROCEEDING FOR LACK OF PROSECUTION**

The above-entitled Adversary Proceeding was filed on October 22, 2010. The summons was executed and Defendant filed an answer on November 23, 2010. Case Management Conferences were subsequently held on January 11, 2011 and June 7, 2011.

On June 8, 2011, the Court issued an Order Following Case Management Conference (the "Order"). Pursuant to the Order, cross motions for summary judgment were to be **heard** no later than August 25, 2011, or the Adversary Proceeding would be dismissed.

On August 17, 2011, Plaintiff E. Nicole Carrion filed a Motion for Summary Judgment. It was not set for hearing and, as of the date of this Order, has not been set, or heard. Defendant did not file

ORDER DISMISSING ADVERSARY PROCEEDING

1 a Motion for Summary Judgment. Instead, on August 29, 2011, he filed an Ex Parte Application for  
2 Order Striking Document Entitled 'Motion for Summary Judgment' and for Order of Dismissal.

3 As of the date of this order, the parties have not complied with the Court's Order, as no motion  
4 for summary judgment has been heard.

5 Good cause appearing, and for the reasons stated above:

6 IT IS HEREBY ORDERED that the above-entitled adversary proceeding is DISMISSED  
7 without prejudice.

8 \* \* \* **END OF ORDER** \* \* \*

UNITED STATES BANKRUPTCY COURT

For The Northern District Of California

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Court Service List (via U.S. Mail and/or ECF)

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Alton, IL 62002

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